

ORDINANCE NO. 132, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF
FORT COLLINS TO REVISE SEWER PLANT INVESTMENT FEES

WHEREAS, the City Council is empowered and directed by Article XII, Section 6 of the Charter of the City of Fort Collins, to by ordinance from time to time fix, establish, maintain, and provide for the collection of such rates, fees or charges for water and for other utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses, and other obligations as set forth therein; and

WHEREAS, Article IV, Chapter 26 of the City Code establishes and sets forth the wastewater utility as a utility service furnished by and as an enterprise of the City; and

WHEREAS, City Code Sections 26-283 and 26-284 provide for sewer plant investment fees (“SPIFs”) to be based on and used for growth-related capital expansion costs of wastewater collection, transmission, treatment, and administrative facilities that are reasonably related to the overall costs of and required in providing wastewater services to serve new development; and

WHEREAS, City Code Section 26-283 further requires that the City Manager annually review the parameters and rates of the SPIFs and also requires that the City Manager present such fees to the City Council for approval no less frequently than biennially; and

WHEREAS, the City Manager and City staff have also recommended to the City Council adjustment of the SPIFs; and

WHEREAS, the Water Commission considered the proposed SPIFs adjustments at its meeting on October 20, 2022, and recommended approval of the proposed adjustments; and

WHEREAS, based on the foregoing, City Council desires to amend Chapter 26 of the City Code to adjust the PIFs as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes any and all determinations and findings contained in the recitals set forth above.

Section 2. That Section 26-284 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-284. - Sewer plant investment fees and surcharges established.

(a) The schedule of sewer plant investment fees, subject to the exceptions and additional requirements provided in this Section, is as follows:

Category	SPIF		
A	Single-family	Per dwelling	\$4,168.00
B and C	Duplex and Multi-family	Per each dwelling unit or mobile home space	\$3,007.00
D, E, F	Non-residential and Industrial		
	Water meter size (inches)	Fee	
	¾		\$8,950.00
	1		\$19,956.00
	1½		\$37,555.00
	2		\$77,919.00
	3 and above	Calculated on an individual basis based on peak wastewater flow (determined in the manner set forth hereinafter) but not less than the charge for a two-inch meter	
G	User outside	Same as equivalent category, plus any special sanitation district fees	
H	Special	Determined pursuant to Subsection (d) of this Section	

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(d) The amount of the plant investment fee and surcharge for each nonresidential surcharged user, users in Category H and any user that is expected to generate greater than its proportionate share of peak day flow at the treatment plant for the applicable category (including both contributed wastewater volume and volume related to infiltration and inflow), shall be calculated utilizing the following formula:

$$\text{SPIF} = \text{Site Flow} \times [\text{Flow}_{\$} + (\text{BOD} \times \text{BOD}_{\$}) + (\text{TSS} \times \text{TSS}_{\$})] + \text{I\&I Flow} \times [\text{Flow}_{\$} + (200 \text{ mg/l} \times \text{BOD}_{\$}) + (250 \text{ mg/l} \times \text{TSS}_{\$})]$$

Where:

SPIF	=	Plant investment fee for Category H users and users discharging wastewater with average concentrations of BOD and/or TSS which exceed those average concentrations which are set forth in § 26-282(b) under Category E-34		
Site Flow	=	The user's proportionate share of peak day flow at the treatment plant based on site flow discharge from user's site		
I&I Flow	=	That proportionate share of peak day flow due to infiltration and inflow as allocated to user's site flow discharge. I&I Flow is calculated based on Site Flow multiplied by	46.5%	
Flow _§	=	Unit cost of facilities attributable to treating wastewater flow	Per Gallon	\$11.38
BOD	=	Average BOD concentration for user category or measured BOD concentration for the user as determined in accordance with Subsection (c) of this Section, but not less than 200 mg/l		
BOD _§	=	Unit cost of facilities attributable to treating BOD	Per mg/l	\$0.0170
TSS	=	Average TSS concentration for user category or measured TSS concentration for the user as determined in accordance with Subsection (c) of this Section, but not less than 250 mg/l		
TSS _§	=	Unit cost of facilities attributable to treating TSS	Per mg/l	\$0.0136

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Section 3. That the modifications set forth above shall be effective for all fees paid on or after January 1, 2023.

Introduced, considered favorably on first reading, and ordered published this 1st day of November, A.D. 2022, and to be presented for final passage on the 15th day of November, A.D. 2022.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of November, A.D. 2022.

Mayor

ATTEST:

City Clerk